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Dated: December 3, 2007

Signature: 
(Bryan J. Lempia)

Att. Docket No.: 10040-04 PEL-01A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Nizzere et al.

Application No.: 10/590,815

Confirmation No.: 1157

Filed: August 25, 2006

Art Unit: Unknown

For: Scale

Examiner: Unknown

**PETITION FOR FILING OF APPLICATION WITHOUT ONE
OR MORE INVENTORS UNDER 37 CFR 1.47**

Attn: Box PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions the Patent Office under 37 CFR 1.47 for filing the present application without signature of one or more of the joint inventors.

Pursuant to 37 CFR 1.47, inventors Matthew Lawler and Theron Kotze cannot be found or reached after diligent effort and have therefore not signed the declaration. Applicant respectfully requests that this Petition be entered and that the signatures of the remaining inventors be accepted on behalf of Matthew Lawler and Theron Kotze.

Joint inventor Matthew Lawler's last known address is as follows:

13738 West Ironwood Circle
Homerglen, Illinois 60441

Joint inventor Theron Kotze's last known address is as follows:

1510 West Byron, Apt. 1
Chicago, Illinois 60613

Statement of Facts:

1. The present application was filed in the name of multiple joint inventors including Matthew Lawler and Theron Kotze.
2. All inventors have signed the enclosed declaration with the exception of Matthew Lawler and Theron Kotze.
3. In accordance with the below-identified and attached documentary evidence, Matthew Lawler and Theron Kotze apparently no longer reside at their last known addresses shown above.
4. Diligent effort has been expended by the applicant in attempting to contact or locate Matthew Lawler and Theron Kotze, but these two inventors have not been found through such diligent effort.
5. The application papers have been sent on several occasions to the respective last known addresses of Matthew Lawler and Theron Kotze, but no Oath or Declaration signatures have been obtained to date.
6. Multiple searches and inquiries have been conducted through the other joint inventors, directory assistance, corporate records, and the internet, but with no success in locating either of the inventors.

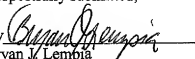
Documentary Evidence in support of the statement of facts is enclosed as follows:

1. Declaration of Karen Kaplan
2. Exhibits A and B attached to Kaplan's declaration

Applicant asserts that all provisions of 37 CFR 1.47 have been satisfied, and respectfully requests that this Petition be granted, and that the present application be deemed filed in the name of the other signing inventors on behalf of Matthew Lawler and Theron Kotze.

Dated: December 3, 2007

Respectfully submitted,

By 
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